

103^D CONGRESS
1ST SESSION

S. 647

To assist in the effective management of the civilian work force of the
Central Intelligence Agency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 24 (legislative day, MARCH 3), 1993

Mr. WARNER (for himself and Mr. DECONCINI) introduced the following bill;
which was read twice and referred to the Select Committee on Intelligence

A BILL

To assist in the effective management of the civilian work
force of the Central Intelligence Agency, and for other
purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Central Intelligence
5 Agency Voluntary Separation Incentive Act”.

6 **SEC. 2. VOLUNTARY SEPARATION INCENTIVE PROGRAM.**

7 (a) PROGRAM AUTHORITY.—The Director of Central
8 Intelligence may in the Director’s discretion establish and
9 administer a program under which the Director may pay,
10 subject to the availability of appropriations, a financial in-

1 centive to employees of the Central Intelligence Agency re-
2 ferred to in subsection (b) for voluntarily separating, by
3 retirement or resignation, from employment by the
4 Central Intelligence Agency.

5 (b) APPLICABILITY OF PROGRAM.—The Director
6 may apply a program established under subsection (a) to
7 any or all of the employees of the Central Intelligence
8 Agency who—

9 (1) serve under an appointment without a time
10 limitation;

11 (2) have been employed by the Central Intel-
12 ligence Agency for not less than 12 months;

13 (3) meet such requirements as the Director of
14 Central Intelligence may prescribe, which may in-
15 clude requirements relating to—

16 (A) years of service;

17 (B) skills; and

18 (C) level of pay;

19 (4) are not reemployed annuitants under a re-
20 tirement system for employees of the Federal Gov-
21 ernment; and

22 (5) are not employees eligible for disability re-
23 tirement under a retirement system for employees of
24 the Federal Government.

25 (c) ADDITIONAL ELIGIBLE EMPLOYEES.—

1 (1) AUTHORITY.—The Director of Central In-
2 telligence may, on a case-by-case basis, apply the
3 program under subsection (a) to an employee of the
4 Central Intelligence Agency not eligible under sub-
5 section (b) if the Director determines that doing so
6 is necessary or advisable in the interests of the
7 United States.

8 (2) AUTHORITY NOT DELEGABLE.—The author-
9 ity under paragraph (1) may not be delegated.

10 (3) REPORT ON USE OF AUTHORITY.—The Di-
11 rector of Central Intelligence shall report each in-
12 stance of the exercise of the authority under para-
13 graph (1) to the Select Committee on Intelligence of
14 the Senate and the Permanent Select Committee on
15 Intelligence of the House of Representatives.

16 (d) CAP ON INCENTIVE AMOUNT.—The total amount
17 paid by the Central Intelligence Agency to an employee
18 pursuant to subsection (a) may not exceed the lesser of—

19 (1) the minimum amount that is determined,
20 from time to time, by the Director of Central Intel-
21 ligence as—

22 (A) necessary to result in the desired num-
23 ber of voluntary separations; and

24 (B) appropriate; or

25 (2) \$25,000.

1 (e) TERMINATION OF SERVICE OR REIMBURSEMENT
2 OBLIGATIONS.—

3 (1) AUTHORITY.—In the case of an employee
4 who is obligated under an agreement between the
5 employee and the Central Intelligence Agency to
6 render service to the Central Intelligence Agency or
7 to reimburse the United States for not so serving,
8 the Director of Central Intelligence may terminate
9 the employee's obligation under that agreement in
10 connection with the separation of the employee from
11 employment and the payment of a financial incentive
12 to the employee under a program established pursu-
13 ant to subsection (a).

14 (2) AGREEMENTS COVERED.—Agreements re-
15 ferred to in paragraph (1) include any agreement
16 entered into pursuant to section 506 of the Intel-
17 ligence Authorization Act for Fiscal Year 1987 (50
18 U.S.C. 403j note).

19 (f) COST NEUTRALITY OR SAVINGS.—The Director
20 of Central Intelligence shall ensure that the total cost of
21 incentives paid to employees under a program established
22 pursuant to subsection (a) during the period beginning on
23 the date of the enactment of this Act and ending on Sep-
24 tember 30, 1998, does not exceed the total cost that the
25 Central Intelligence Agency would have incurred for the

1 pay and other personnel benefits for such employees if
2 they had remained employees of the Central Intelligence
3 Agency for that period.

4 (g) RELATIONSHIP TO OTHER GOVERNMENT BENE-
5 FITS.—The amount paid to a person pursuant to sub-
6 section (a) may not—

7 (1) be the basis for payment of, and may not
8 be included in the computation of, any other mone-
9 tary benefit payable with respect to that person by
10 the Federal Government; and

11 (2) be taken into account for purposes of deter-
12 mining the amount of any severance pay to which
13 such person is entitled under any other provision of
14 law based on any other separation from employment
15 by the Federal Government.

16 (h) TERMINATION OF AUTHORITY.—No financial in-
17 centive amount may be paid under the authority of this
18 section in connection with any voluntary separation occur-
19 ring after September 30, 1998.

20 (i) REGULATIONS.—The Director of Central Intel-
21 ligence shall prescribe such regulations as may be nec-
22 essary to carry out this section.

○